OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

# Memorandum

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TO : Mr. Franck

DATE: 11-27-73

FROM : G. E. Malmfeldt

SUBJECT: GEORGE McMILLAN
FROGMORE, SOUTH CAROLINA
REQUEST FOR DATA FROM OUR FILES ON JAMES EARL RAY

Captioned individual called Bureau Headquarters on 11-26-73 and was referred to Farrington of the Freedom of Information Act (FOIA) Unit. Mr. McMillan advised that he was working on a book concerning James Earl Ray which he hoped to eventually be published by Little, Brown and Company. In this regard, he stated that he had received various data on Ray which he feels is accurate but which he would like to have verified by the FBI. This information included evidence that there was, in fact, no conspiracy involved in Ray's slaying of Dr. Martin Luther King. He would also like to verify some information coming to his attention concerning Ray's activities while in prison and his association with one Stumm.

The provisions of the FOIA, particularly the exemption covering investigatory files compiled for law enforcement purposes that were not over 15 years old, were explained to him. Although he was quite disappointed over our inability to cooperate with him, he claimed that he fully understood. He stated that he would be back in touch with us some time in the future to determine if our position on furnishing him data on James Earl Ray had changed.

Our files reveal that Mr. McMillan is a free-lance writer who has contacted the Bureau on a number of occasions previously concerning the James Earl Ray case and various civil rights investigations conducted by the FBI in the South. As recently as January, 1971, in response to his request for data from the James Earl Ray case, the Department advised him that the only information which could be made available to him consisted of documents filed on behalf of the States of Tennessee and Missouri in the extradition proceedings concerning

1 - Mr. Franck
1 - Mr. Miller
1 - Mr. Gebhardt
1 - Mr. Heim
1 - Mr. Malmfeldt

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Ray in the British Court. Since it was the Department's intention to make those limited papers available in the future to authors, publishers or members of the public who wished to inspect them, Mr. McMillan was invited, by the Department, to review those documents only.

RECOMMENDATION:

For information in the event Mr. McMillan contacts the Bureau in the future.

JCF RGF REG/ewc Employee